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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,796	11/30/2001	Torbjorn Gardenfors	032927-027	4630

7590 09/28/2004

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 P.O. Box 1404  
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EXAMINER
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GELIN, JEAN ALLAND

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/996,796		GARDENFORS ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Jean A Gelin		2681	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6,10-12,14,15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 4,7-9,13,16 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/19/02</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 5, 6, 10, 11, 12, 14, 15, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Booth, III et al. (US 5,964,847).

Regarding claims 1, 12 Booth teaches a connecting device (12) for connecting an accessory device (11) to a portable communications device (13), said connecting device having an interface connector for electrical connector to a mating connector arranged on the portable communications device, characterized connecting device is further equipped with means for holding the accessory device in a position side of the portable communications device (fig. 1, col. 4, line 44 to col. 5, line 8).

Regarding claims 5, 14, Booth teaches the accessory device a device for playback of audio signals (col. 6, lines 64-67).

Regarding claims 6, 15, Booth teaches means for holding at least one portable storage medium adapted to store audio files for the audio playback device (col. 6, lines 50-54).

Regarding claims 10, 18, Booth teaches a flexible section enabling the accessory device be positioned in at least two different positions in relation to the portable communications device (when the system is unified and not unified, col. 1, lines 1-35).

Regarding claims 11, 19, Booth teaches device a mobile telephone (fig. 1, mobile 13).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 3, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Booth in view of Burvee (US 4,762,497).

Regarding claims 2, 3, Booth teaches all the limitations above except the connecting device comprises a soft material.

However, the preceding limitation is known in the art of communications. Burvee teaches an electric connector; for use in the electric connector, a tube made of elastic, polymeric foam is formed with a cavity that is open at both ends and is filled with electrically conductive gel, corresponding to soft material, (col. 2, lines 4-11). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the techniques of Burvee within the system of Booth in order that the novel connector can quickly and easily be fastened to the fabric, and preferably removed after each use.

Regarding claim 3, Booth in view of Burvee teaches all the limitations above. Burvee further teaches the soft material an electrotexile having conductive fibers woven together with traditional non-conducting fibers, said conductive fibers providing electrical

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connection connector between the accessory device and the interface connector (col. 5, lines 34-42).

Regarding to claim 20, the claim includes limitations that are similar to limitations of claims 1 and 2. therefore, the claim is interpreted and rejected for the same reasons as set forth in the rejection of claim 1 and 2 above.

***Allowable Subject Matter***

5. Claims 4, 7-9, 13, 16, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lija et al. (US 5,991,640 A) teaches docking and electrical interface for personal use communication devices.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on (703) 308-4825. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**JEAN GELIN**  
**PRIMARY EXAMINER**

JGelin  
September 18, 2004

A handwritten signature in cursive script that reads "jean Gelin". The signature is written in dark ink and is positioned to the right of the typed name and date.